

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION (Cincinnati)

Granted.

9:23 AM, Sep 2, 2020

EUGENE SCALIA, Secretary of Labor,  
U.S. Department of Labor,

Plaintiff,

v.

MONROE TRADES, CORP., et. al.,

Defendants.

Case No. 17-cv-272

Judge: Litkovitz (consent)



**PLAINTIFF'S MOTION FOR TELEPHONIC STATUS CONFERENCE**

Now comes Plaintiff Eugene Scalia, Secretary of Labor, U.S. Department of Labor ("Secretary"), and respectfully requests that the Court hold a telephonic status conference to address Defendants' refusal to cooperate in scheduling a deposition. In support of this motion, the Secretary states as follows:

1. Undersigned counsel has repeatedly communicated with Mr. Bassini to schedule his deposition prior to the discovery cut-off date of September 11, 2020.
2. Additionally, undersigned counsel has explained to Mr. Bassini that under the Federal Rules of Civil Procedure, he is required to make himself available for a deposition.
3. Mr. Bassini has refused to cooperate in scheduling a deposition and has ignored or refused repeated requests by undersigned counsel to select a date for his deposition.
4. Additionally, Defendants have filed a "Motion to Oppose Deposition," ECF Doc. 66, in effect, a motion for a protective order, but one lacking any legal basis under Fed. R. Civ.

P. 26(c) (“The court may, for good cause, issue an order to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense”).

Wherefore, the Secretary respectfully requests that the Court hold a telephonic status conference to address Defendants’ refusal to cooperate in scheduling a deposition.

Respectfully Submitted,

Dated: September 1, 2020

/s/ Matthew M. Scheff  
**MATTHEW M. SCHEFF (OH 82229)**  
Senior Trial Attorney

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OF COUNSEL:

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Solicitor of Labor

CHRISTINE Z. HERI  
Regional Solicitor

**CERTIFICATE OF SERVICE**

I certify that September 1, 2020, the foregoing *Plaintiff's Motion for Telephonic Status Conference* was filed with the Court's electronic filing service, which will cause service to be made on all parties. Additionally, Defendants were served by email as follows:

Mohammed M. Bassini  
[bassini7@aol.com](mailto:bassini7@aol.com)

/s/ Matthew M. Scheff  
MATTHEW M. SCHEFF  
Attorney for the Secretary